



An
Bord
Pleanála

Inspector's Report PL09.249348.

Development

10 megawatt solar photovoltaic farm comprising photovoltaic panels on ground mounted frames, 1 no single storey inverter / transformer station, 1 no single storey switchgear & associated transformer station. Internal track, security fencing. Cctv lighting poles. Widening of an existing entrance onto the Southgreen road and all associated and ancillary site development and landscaping works.

Location

Southgreen Road within the townland of Loughandys Co, Kildare.

Planning Authority

Kildare County Council

Planning Authority Reg. Ref.

17/388

Applicant(s)

Soleirtricity Ltd.

Type of Application

Permission.

Planning Authority Decision

Refuse Permission.

Type of Appeal

First Party

Appellant(s)	Soleirtricity Ltd.
Observer(s)	Jean Sweeney Michael Quinn Laura McCormack.
Date of Site Inspection	3 rd January 2018
Inspector	Bríd Maxwell.

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1.0 Site Location and Description

- 1.1. The appeal site has a stated area of 19.33 hectares is located approximately 2.5km northwest of Kildare Town on the Southgreen Road. The town of Rathangan is located some 6.5km to the northwest. The Dublin to Cork Railway line is 1.8km to the south and M78 Motorway passes 2km to the south. The Curragh and Pollardstown Fen are approximately 3.5km and 4.5km to the east respectively.
- 1.2. The site comprises three field patterns currently in agricultural use for tillage. The local area is characterised by undulating topography with views to prominent hills Redhill and Dunmurry Hill to the north and west and towards Kildare Town to the south. The appeal site slopes from northwest to southwest with indicated gradient of between 140m OD and 120m OD. There is a locally raised area on the southern side of the lands and a valley feature to the east with an internal hedgerow at the lowest level. The perimeter of the site is defined by mature trees and hedging and there is a deep double ditch and access road running along the northern boundary.
- 1.3. Lands surrounding the site are predominantly in agricultural use with a number of stud farms and dwellinghouses also in the vicinity. Agricultural lands bound to the north, and the route of 110kv overhead electricity line runs to the south of the site. Access is from a local road to the west. The closest dwelling site is prominently located overlooking the site to the north on the opposite side of the double ditch, and within 7m of the site boundary (dwelling is within 32m of the appeal site boundary). A group of houses located on the Old Road and R401 to the east the closest in this direction is circa 300m from the appeal site. To the south the nearest dwelling and Kildare Animal Foundation premises is approximately 100m from the site. To the west there are a number of dwellings farms and stud farms including Redhills Stud Farm.

2.0 Proposed Development

- 2.1. The proposed development comprises a 10 MW solar farm including photovoltaic panels on ground mounted frames, 2 no single storey inverter / transformer stations,

security fencing, cctv / lighting and all associated ancillary development works. The development will have an expected lifespan of 25 years.

2.2. It is proposed to provide a substation building of c 43 sq.m and associated transformer (c8sq.m) on the western side of the site adjacent to the entrance. CCTV cameras / lighting poles 3m approximately from ground level are proposed around the overall site. It is anticipated that connection to ESB network will be via the exiting 38kV substation at Southgreen by means of approximately 2km of underground cable however grid connection is not part of the current application. The construction period is anticipated to be approximately 18-20 weeks.

2.3. The detail of the application is outlined in the reports submitted with the application which include:

- Planning Report by John Spain Associates.
- Traffic and Transport Statement by CS Consulting Group.
- Landscape and Visual Impact Assessment by Doyle O Troithigh, Landscape Architecture.
- Glint and Glare Assessment by Macroworks.
- Ecological Impact Assessment by Moore Group Environmental Services.
- Report for AA Screening by Moore Group Environmental Services.
- Cultural Heritage Assessment by Moore Group Environmental Services.

3.0 Planning Authority Decision

3.1. Decision

By order dated 7th September 2017 Kildare County Council decided to refuse permission for the following reasons:

“The proposed development is located in the special landscape character area of Chair of Kildare as indicated in Chapter 14 of the Kildare County Development Plan 2017-2023 which has a ‘low capacity to accommodate uses without significant adverse effects on the appearance or character of the landscape having regard to special sensitivity factors’. Furthermore, the proposed development is located in proximity to a designated scenic route (No.15) and a number of scenic views in the Kildare County Development Plan 2017-2023. It is considered that the proposed development of a large scale solar farm, would seriously injure the visual amenities of this highly sensitive landscape area, would be contrary to the provisions of the Kildare County Development Plan 2017-2023 and lead to an undesirable precedent for similar developments in this and other sensitive landscape and areas. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area and would be contrary to the provisions of Chapter 14 of the Kildare County Development Plan 2017-2023.

It is considered that, by reason of the open and exposed nature of the site, the proposed development would be visually obtrusive at this location, would appear overly dominant on the immediate rural landscape having regard to the contours of the surrounding landscape, and would set an undesirable precedent for similar development which would be contrary to the provisions of the Kildare County Development plan 2017-2023, in particular Policy LA2 and LU 1 which seek to protect and enhance the County’s landscape and ensure that development will not have a disproportionate visual impact. The proposed development would, therefore seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.”

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Planner’s initial report sought additional information with regard to visual impact analysis taking into consideration longer range views to the site from strategic points at lower elevation in the environs and also further north along the Southgreen Road

and R401. Further analysis required to include visual impacts on the built heritage and additional mitigation measures to be outlined.

Final Planning report notes that the impact of the chair of Kildare upland area which is of significant importance to the Curragh Plan lands and the wider landscape of Kildare. Solar projects are noted as having least compatibility within this landscape area. (Table 14.3) There are serious concerns regarding the visual impact of development and its impact on integrity of the landscape character. In the absence of national guidance in relation to solar farm proposals and taking into account the number of permitted and pending applications within Kildare there are serious concerns regarding site elevation and justification for the proposal at this location. Refusal recommended.

3.2.2 Other Technical Reports

- Area Engineer's report indicates no objection subject to conditions.
- National Roads Officer report notes that given the distance to motorway 2.7km adverse impact regarding glint or glare on the national road network is not expected. Construction traffic not likely to impact significantly on the national road network.
- Transportation Department no objection subject to conditions.
- Environment Section report indicates no objection subject to conditions.
- Water Services Report indicates no objection.
- Conservation officer's report requests further information to include visual impact report on the built heritage.
- Environmental Health Officer's report indicates no objection subject to conditions.

3.3 Prescribed Bodies

- An Taisce Submission asserts that a strategic national and regional strategy is required for solar array development. The Council should ensure optimum site suitability is selected protecting biodiversity, sensitive areas, archaeological and architectural heritage and good tillage land.

- Transport Infrastructure Ireland TII relies on the planning authority to abide by official policy in relation to development, on or affecting national roads as outlined in the DoEGLG Spatial Planning and National Roads Guidelines for Planning Authorities 2012.
- Department of Arts Heritage. Regional Rural and Gaeltacht Affairs recommends that recommendations of archaeological report be carried out providing for archaeological monitoring.

3.4 Third Party Observations

- Submission by Sean Sweeney and Michael Hussey, 43 Loughminane Green, Kildare Town express concern regarding potential for glare and impact on dwellinghouse and equine business. Boundary fencing should be of high quality. Impact of CCTV on privacy and on animals. Parking during construction should not obstruct premises. Maintenance issues.
- Submission from Laura McCormack, Rahilla Glebe Redhills, adjacent to the northern site boundary (Receptor HO 7). The submission includes photographs to illustrate concerns. Significant negative visual impact of lighting and CCTV and security fencing. Incompatible within the Chair of Kildare Landscape Character Area. Disproportionate visual impact due to bulk, scale and inappropriate siting. Reliance on hedgerow screening does not take account of autumn / winter glint and glare. Landscaping will take half the project lifetime to establish and will only partially screen the site.
- Submission from Michael Quinn, Rahilla, Kildare. (H11) objects on grounds of negative visual impact. Glint and glare would be significant. Figure 6.2 inaccurate in terms of contours. Potential flooding impact.

4.0 Planning History

No planning history on the appeal site.

5.0 Policy Context

5.1. Development Plan

5.1.1 The Kildare County Development Plan 2017-2023 refers.

5.1.1.1 Chapter 8 relates to Energy and Communications.

Section 8.7 deals with solar energy and sets out the key planning policies and objectives in relation to same.

Policy SE 1 *“To promote the development of solar energy infrastructure within the county, in particular for on-site energy use, including solar PV, solar thermal and seasonal storage technologies. Such projects will be considered subject to environmental safeguards and the protection of natural or built heritage feature, biodiversity views and prospects.”*

SE 2 *“To ensure that the assessment of solar energy proposals will have regard to*

- *site selection, by focussing in the first instance on developing solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;*
- *where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays;*
- *the nature of solar farms as normally temporary structures. Decommissioning and site rehabilitation plans will be required providing for the land be restored to its previous use;*
- *the proposal’s impact through glint and glare on neighbouring uses and on transportation and aviation safety;*
- *the proposal’s visual and landscape impact and the potential to mitigate these impacts through, for example, screening with native hedges*
- *the guidance provided in relation to compatibility with landscape designations of Tables 14.3 and 14.4 of Chapter 14 of this plan;*
- *the need for, and impact of, security measures such as lights and fencing;*
- *the need to ensure that heritage assets are conserved in a manner appropriate*

to their significance, including the impact of proposals on protected views and scenic routes etc. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets, e.g. historic demesnes.

Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;

- *the need to consider ecology so as to avoid or minimise damage on important species or protected habitats;*
- *the energy-generating potential, which can vary for a number of reasons including latitude and aspect;*
- *the design of the scheme needs to be carefully considered including layout, scale, land cover panel, height, landscaping, access roads, noise, cumulative impacts and the design of ancillary elements;*

5.1.2 Chapter 5 Economic Development Enterprise and Tourism includes

Policy ECD 23 to *“Facilitate and encourage the development of the alternative energy sector and to work with the relevant agencies to support the development of alternative forms of energy where such developments are in accordance with the proper planning and sustainable development of the area.”*

ECD 27 *“To support and facilitate sustainable agriculture, agrifood, horticulture, forestry renewable energy and other rural enterprise at suitable locations in the county.”*

5.1.3 Chapter 14 Landscape Recreation and Amenity

The site is within the Chair of Kildare landscape character area, Class 4 with special sensitivity to development and low capacity to accommodate uses without adverse impacts on landscape. Solar installations are least compatible (Matrix Table 14.3)

The area to the south is the central undulating lands/ southern lowlands which have a low sensitivity.

Scenic route 14 Views to and from Redhill, Central Kildare Plains and boglands on the R401 and adjoining lands. Scenic route 15 Views to and from Dunmurray and Views of Central Kildare Plains and Boglands on the R401 and adjoining roads and 16 Views of Chair of Kildare and Views of Central Kildare Plains and Boglands on the R415 and adjoining roads.

5.2 Planning and Development Guidance Recommendations for Utility Scale Solar Photovoltaic Schemes in Ireland October 2016.

This is a research paper which was funded by the SEAI. It does not purport to be a policy document. The report contains a set of planning policy and development guidance recommendations, which it is suggested may contribute to the evidence base that will inform the development of Section 28 planning guidance for Utility Scale Solar Photovoltaic (USSPV) developments in Ireland.

It noted that over a hundred applications for USSPV developments have been lodged with planning authorities by October 2016 and that an estimated 594MW have been granted or are on appeal. The combined site area for these schemes is 1,331.9 hectares.

Recommendations include that the development plans set out policy objectives to support USSPV development and put in place development management standards to control development. With respect to glint and glare assessments, it is recommended that a national standard for the undertaking of these assessments is developed. It is also recommended that the deployment of USSPV should not be prohibited in undulating landscapes and that a decommissioning statement should be included as a standard component of a planning application.

It is noted that four out of the seven developments refused planning permission (October 2016) have had glint and glare concerns cited as a ground of refusal. The sensitive receptors are loosely categorised as being: Residential dwellings, Historical Monuments/Heritage Landscapes, Road Networks and Aviation Infrastructure.

5.3 International Guidance

Planning guidance for the development of large scale ground mounted solar PV systems BRE (Building Research Establishment 2013).

In relation to glint and glare:

“Glint may be produced as a direct reflection of the sun in the surface of the solar PV panel. It may be the source of the visual issues regarding viewer distraction. Glare is a continuous source of brightness, relative to diffused lighting. This is not a direct reflection of the sun, but rather a reflection of the bright sky around the sun. Glare is significantly less intense than glint. Solar PV panels are designed to absorb, not reflect, irradiation. However, the sensitivities associated with glint and glare, and the landscape/ visual impact and the potential impact on aircraft safety, should be a consideration. In some instances, it may be necessary to seek a glint and glare assessment as part of a planning application. This may be particularly important if ‘tracking’ panels are proposed as these may cause differential diurnal and/or seasonal impacts. The potential for solar PV panels, frames and supports to have a combined reflective quality should be assessed. This assessment needs to consider the likely reflective capacity of all of the materials used in the construction of the solar PV farm.”

5.2. Natural Heritage Designations

The site is not within a designated site. Natura 2000 sites within 10km include:

- Pollardstown Fen SAC is c 5km to the northeast
- Mouds Bog SAC is c 7.5km to the northeast
- River Barrow and River Nore SAC is c 9.5km to the southwest.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 The grounds of appeal submitted by John Spain Associates Planning and Development Consultants on behalf of the First Party Appeal are summarised as follows:

- Decision of the Planning Authority is unreasonable. Notably no reservations were expressed by the Planning Authority in pre planning and subsequently during discussions at further information stage.
- Application was carefully prepared having regard to UK Guidelines, previous decisions of An Bord Pleanála and policies and objectives of the Kildare County Development Plan particularly Policy SE2.
- Site is within 2km of a recently refurbished ESB substation capable of accommodating the proposal
- Note reference to the absence of national guidelines within the planner's report however Development Plan policy SE2 provides for solar farm development having regard to development management criteria.
- Sensitivity of the site is low compared to the hills located to the north-west. The site is most accurately described as being within a transitional zone between the less visually sensitive lowland areas and more visually sensitive upland areas. Existing and proposed screening measures will limit the visual impacts of the proposal on the surrounding landscape. Minimal negative visual impact from R401 Scenic Route.
- In light of the location of the proposal at the edge of the class 4 designation and the proximity of Kildare Town and the 100kV Electricity Pylon corridor which is the dominant feature traversing the southern boundary of the site.
- The context of the site at micro level is considered robust enough to absorb the solar farm.
- Concerns in relation to landscape character integrity are overstated. Given the low profile nature of the development contained within the envelope of

existing field boundaries the proposal cannot be considered to be excessive in bulk or scale.

- The site provides opportunity for robust and substantial landscape screening which can effectively screen the development for its operational life from sensitive receptor locations.
- The development of Solar PV in Ireland has the potential to contribute to our renewable energy targets.
- Precedent cases PL27.246527, PL26.247176.
- Proposed development strikes an appropriate balance between the national regional and local planning objectives of providing renewable energy without incurring a significant or adverse impact on the environment or on the local / wider landscape character.

6.2. Planning Authority Response

The Planning Authority made no comment on the grounds of appeal, rather refers the Board to the Planner's report.

6.3. Observations

6.3.1 Observations submitted by Jean Sweeney, 43 Loughminane Green, Kildare Town and owner of the farm immediately adjacent to on the south. Objects to the proposed development on grounds of intrusion to privacy, glint and glare, visual impact. Negative impact on equine business and future dwelling.

6.3.2 Michael Quinn, Rahilla, Kildare Town. Objects on grounds of impact on lifestyle, glint and glare. Anomalies regarding drainage ditch along northern boundary.

6.3.3. Laura McCormack, Rahilla Glebe, Redhills, Co Kildare who lives in the house served by the laneway on the northern boundary of the site. House overlooks the entire site as displayed on photographs attached. Site is visible from the Scenic R401 / Old Road Curragh Plain and Kildare town landmarks. Drastic impact on residential amenity and negatively impact the local rural environment. Site is an integral part of the Chair of Kildare Landscape character area. Photographs included with the submission demonstrate that the site is clearly visible when viewed over a long

distance from strategic locations contrary to the LVIA assertion to the contrary. Government Policy to expedite renewable energy sites should not result in relaxation or overruling of development plan policies.

7.0 **Assessment**

7.1 Having examined the file, considered the prevailing local and national policies and having inspected the site and assessed the proposal and all submissions, I consider the key issues to be considered in the Board's assessment of the proposed development are those contained in the reasons for refusal related to landscape and visual impact. I propose to order my assessment under the following broad headings:

- Policy Compliance – Principle of Development
- Environment Impact Assessment
- Landscape and visual,
- Other Matters – Traffic and construction, glint and glare, cultural heritage and ecology.
- Appropriate Assessment.

7.2 **Policy Compliance – Principle of Development.**

7.2.1 As regards strategic policy on renewable energy, the proposed development is in accordance with national and EU policies which seek to promote the reduction of greenhouse gases and the advancement of renewable energy resources. There are no specific national or regional planning guidelines relating to the locational aspects of Solar PV farms. At county level The Kildare County Development Plan 2017-2023 addresses Solar Energy at 8.7 and Policy SE 1 is *“To promote the development of solar energy infrastructure within the county, in particular for on-site energy use, including solar PV, solar thermal and seasonal storage technologies. Such projects will be considered subject to environmental safeguards for the protection of natural or built heritage features. Biodiversity, views and prospects”*. Key considerations are outlined in Policy SE 2. In relation to proposals for greenfield land, the policy seeks to ensure that *(i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land*

and (ii) the proposal allows for continued agricultural use where applicable and / or encourages biodiversity improvements around arrays”

7.2.2 In terms of locational aspect, the appeal site is located on unzoned lands in rural county Kildare and is identified as the Chair of Kildare Landscape Character Area. This area is classified as having a special sensitivity to development with a low capacity to accommodate uses without adverse impact on landscape. In terms of likely compatibility with specific land use, the Landscape Areas (Table 14.3) of the Kildare County Development Plan 2017-2023 notes that the Chair of Kildare has a least compatibility with solar energy development.

7.2.3 Thus whilst it is evident that the policy context provides broad support for solar energy infrastructure the development plan also clearly highlights a landscape sensitivity within the chair of Kildare landscape character area with regard to all development and a particular suggestion of incompatibility with solar energy development. Thus it is appropriate to consider the specifics of the proposed development on its own merit in the context of the normal proper planning and sustainable development and environmental considerations.

7.3 Requirement for Environmental Impact Assessment

7.3.1 Photovoltaic solar farms are not listed as a specific use category under Schedule 5 of the 2001 Regulations as amended and therefore EIA is not mandatory. In considering the criteria for determining whether a development would or would not be likely to have significant effects on the environment, I consider that having regard to the characteristics of the proposed development and the location of the development and the characteristics of potential impacts, the proposal is not likely to have significant effects on the environment and therefore EIA is not required.

7.3.2 I note in relation to the submitted documentation the application includes a planning Report, a traffic and transport statement, a landscape and visual impact assessment glint and glare assessment ecological impact assessment report for AA screening and cultural heritage assessment which address in some detail the key planning and

environmental considerations for the proposed development having regard to the receiving environment and the characteristics of the proposed development.

7.4 Landscape and visual

7.4.1 The visual impact and impact on landscape is the key issue arising in the appeal. I note the landscape and visual assessment report compiled by Doyle O' Troithigh Landscape Architecture within which the designation of the site within the Chair of Kildare Landscape Character Area is discussed. It is argued that the site is more accurately described as being within a transitional zone between the less visually vulnerable lowland areas and more visually sensitive upland areas. Whilst I acknowledge that the landscape character does not adhere strictly to formal fixed mapped boundaries and that transitional zones are a reasonable prospect, I would not agree that a lowland character traits would apply in terms of the current appeal site context. The site by virtue of its location and undulating character is clearly located within the chair of Kildare Landscape Character Area and thus the capacity to absorb development should be assessed in this context.

7.4.2 As regards the detailed consideration of visual impact, I have some concerns with regards to the assessment submitted in terms of the choice and quality of photomontage representations. I would tend to concur with the planning authority and third party observers with regard to an excessive reliance on permanent screen planting and a failure by the first party to address key locations in the immediate vicinity of the site. In my view landscape and visual assessment should depict the worst case scenario in terms of presenting the visual impact arising. The submitted assessment fails in this regard. (Refer to photomontage 4 and 5)

7.4.3 I note that the site is open and highly visible from the local road to the west and lowlands to the south and provides for extensive views to the surrounding lowlands. The visual impact from the adjacent dwelling to the north (which is not in any way addressed by the first party) would be most significant and the proposal would clearly be detrimental to established residential and rural amenity of this dwelling. The visual impact along the local road to the west and from gap views available from the east would also be significant. Within the wider context I note potential for impact

on scenic routes routes 14, 15 and 16 and concentration of scenic views and heritage sites (St Bridget's Cathedral and Round Tower) in the area which is poorly explored by the First Party. I further note the scale of the development proposed in terms of the details of the site layout. Whilst reference is made within the first party documentation to buffer zones and supplementary landscaping, the scale and intensity of development on the proposed site provides little opportunity for same.

7.4.4 Overall I conclude that the visual impact of the proposed development will result in a significant adverse visual impact which would be highly detrimental to the visual and rural amenities of the area.

7.5 Other Matters – Glint and Glare Traffic, traffic and construction, cultural heritage and ecology.

7.5.1 On the issue of glint and glare, this is addressed in the Glint and Glare Assessment Completed by Macroworks. The assessment finds that 9 dwellings have the potential to be affected by reflectance. In terms of roads receptors there is potential for glint and glare along the Southgreen road immediately west of the site and along sections of the R401. However, it is asserted that based on orientation distance and vegetative screening there will not be any significant nuisance or hazard effects generated from glint and glare at the surrounding dwellings or roads as a result of the development. I note that the mitigation in terms of glint and glare relies heavily on “a moderate - high degree of vegetative screening” and based on my concerns as outlined above with regard to the visual impact arising from the open and exposed as opposed to enclosed nature of the site and to the scale and layout of the development I would have reservations with regard to these conclusions. In this regard if the Board were to consider a grant of permission in this case I consider that further detailed mitigation would be required to ensure that the proposed development would not give rise to hazard / nuisance.

7.5.2 As regards construction impacts, I consider that on the basis of the short term duration of installation period and subject to mitigation measures including the

provision of a traffic management plan, there will be no significant disruption in terms of construction and roads impact. On this basis I consider that the proposal is acceptable from a road traffic and road safety perspective.

7.5.3 As regards cultural heritage I consider that based on the information provided in respect of potential archaeological heritage the impact of the development on cultural heritage is not significant. Archaeological monitoring is proposed. I have noted above concerns with regard to visual impact on heritage sites.

7.5.4 As regards ecological impact the site is not significant in terms of its ecology given its intensive agricultural use. I consider that the impact on ecology does not present as a barrier to development of a solar farm on the site.

7.5 Screening for Appropriate Assessment

7.5.1 The obligation to undertake appropriate assessment derives from Article 6(3) and 6(4) of the Habitats Directive. Essentially it involves a case by case examination for a Natura 2000 site and its conservation objectives. Appropriate Assessment involves consideration of whether the plan or project alone or in combination with other projects or plans will adversely affect the integrity of a European site in view of the site's conservation objectives and includes consideration of any mitigation measures to avoid reduce or offset negative effects. This determination must be carried out before a decision is made or consent given for the proposed plan or project. Consent can only be given after having determined that the proposed development would not adversely affect the integrity of a European Site in view of its conservation objectives.

7.5.2 The Appropriate Assessment, Stage 1 Screening Report is prepared by Moore Group Environmental Services. The European Sites which could potentially be affected using the Source-Pathway-Receptor model are identified as the three Natura 2000 sites within a 10km radius of the proposed solar farm site and the associated grid connection route, namely Pollardstown Fen SAC c5km to the

northeast, Mouds Bog SAC c 7.4km to the northeast and River Barrow and River Nore SAC c 9.5km to the southwest. Screening conclusion is that there are no European sites with relevant hydrological or biological connectivity to the site there would be no significant impacts on the qualifying interest or conservation objectives of any European Sites. I consider that it has been demonstrated that there will be no direct, indirect or cumulative significant impacts to the European sites. It is reasonable to conclude that on the basis of the information on file which I consider adequate in order to issue a screening determination, that the proposed development individually or in combination with other proposed development would not be likely to have a significant effect on the or any other European Site in view of the sites' conservation objectives and a stage 2 appropriate assessment and submission of an NIS is not warranted.

8.0 Recommendation

I recommend that planning permission should be refused for the following reasons.

9.0 Reasons

1. The proposed development is located in the Chair of Kildare, Special Landscape Character Area of as indicated in Chapter 14 of the Kildare County Development Plan 2017-2023 which has a low capacity to accommodate uses without significant adverse effects on the appearance or character of the landscape having regard to special sensitivity factors. Having regard to the open, exposed and elevated nature of the site, and the scale, nature and design of the proposed development, it is considered that the proposed solar farm would form a prominent and obtrusive feature in the landscape, which would be highly visible in views from its environs and which would adversely impact on the character of the local setting. The proposed development would seriously injure the visual amenities of the area and would conflict with this development plan objective which seeks to protect the landscape. The proposed development would, therefore be contrary to the proper planning and sustainable development of the area.

2. The proposed development, by reason of its scale and location in close proximity to a number of dwelling houses and to the L7062, would be highly visible and would give rise significant visual impact which would not be likely to be mitigated by vegetative screening, and would therefore seriously injure the residential amenities of adjacent residential properties. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Bríd Maxwell

Planning Inspector

9th January 2018